

63 FLRA No. 98

AMERICAN FEDERATION
OF GOVERNMENT EMPLOYEES
LOCAL 1164, AFL-CIO
(Charging Party/Union)

and

SOCIAL SECURITY ADMINISTRATION
OFFICE OF HEARINGS AND APPEALS
PORTLAND, MAINE
(Respondent)

BN-CA-05-0254

DECISION AND ORDER

April 30, 2009

Before the Authority: Carol Waller Pope, Chairman and
Thomas M. Beck, Member

I. Statement of the Case

This unfair labor practice case is before the Authority on exceptions to the attached decision of the Administrative Law Judge (Judge) filed by the General Counsel (GC). The Respondent filed an opposition to the GC's exceptions.

The complaint alleges that the Respondent violated § 7116(a)(1) and (5) of the Federal Service Labor-Management Relations Statute (the Statute) by assigning new duties to bargaining unit employees without providing the Union with notice and an opportunity to bargain over the change. The Judge determined that the Respondent did not violate the Statute as alleged because the change did not have more than a *de minimis* effect on the employees' conditions of employment.

Upon consideration of the decision and the entire record, we adopt the Judge's findings, conclusions, and recommended order and deny the GC's exceptions.

II. Order

The complaint is dismissed.